



PATENTS  
112056-0004P1  
P01-1036.02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                           |   |                               |
|---------------------------|---|-------------------------------|
| In Re The Application of: | ) |                               |
| Samuel M. Cramer et al.   | ) |                               |
| Serial No.: 09/933,883    | ) | Examiner: Manoskey, Joseph D. |
| Filed: August 20, 2001    | ) |                               |
| For: NEGOTIATED GRACEFUL  | ) | Art Unit: 2113                |
| TAKEOVER IN A NODE CLUS-  | ) |                               |
| TER                       | ) |                               |
|                           | ) | Cesari and McKenna, LLP       |
|                           |   | 88 Black Falcon Avenue        |
|                           |   | Boston, MA 02210              |
|                           |   | June 30, 2004                 |

"Express Mail" Mailing-Label Number: EV 335 590 703 US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION-DISCLOSURE STATEMENT**

In keeping with the duty of candor and good faith owed to the Patent and Trade-mark Office, Applicants wish to bring to the Examiner's attention the references listed on the accompanying form PTO-1449. A copy of each listed reference is enclosed.

The undersigned hereby certifies that no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry,

07/06/2004 LWONDIM1 00000077 09933883

01 FE:1806

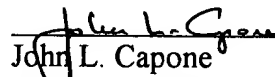
180.00 DP

was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

To the extent required by 37 C.F.R. §1.98(a)(3), Applicants have described what they consider to be the relevance of any foreign-language reference. The Office may find additionally relevant material in these or other references.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

  
John L. Capone  
Reg. No. 41,656  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500



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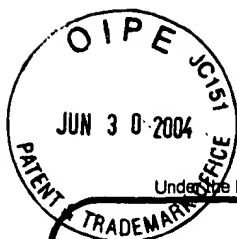
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**EXPRESS-MAIL DEPOSIT**

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The following papers are being deposited with the United States Postal Service  
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|   |  |
|---|--|
| <u>X</u> Fee Transmittal Letter           | <u>X</u> Check No. <u>28798</u> for \$180.00 |
| <u>X</u> Information Disclosure Statement | <u>X</u> PTO-1449 and Copies of References   |



07/01/04

2113/\$  
JWPatent and Trademark Office/SB/17 (10-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims Small Entity Status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 180**Complete if Known**

|                      |                         |
|----------------------|-------------------------|
| Application Number   | 09/933,883              |
| Filing Date          | August 20, 2001         |
| First Named Inventor | Samuel M. Cramer et al. |
| Examiner Name        | Manoskey, Joseph D.     |
| Group Art Unit       | 2113                    |
| Attorney Docket No.  | 112056-0004P1           |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money ☐ Other ☐ None  
☒ Deposit AccountDeposit  
Account  
Number

03-1237

Deposit  
Account  
Name

Cesari and McKenna, LLP

The Commissioner is authorized to: (check all that apply)  
Charge any deficiency or☒ Charge fee indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 750      | 2001         | 375      | Utility filing fee     |          |
| 1002         | 330      | 2002         | 165      | Design filing fee      |          |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |          |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          | (\$)                   | 0        |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 0            | 20**         | 0              | 0        |
| 0            | 3**          | 0              | 0        |
| 0            |              |                | 0        |

| <u>Large Entity</u> |          | <u>Small Entity</u> |          | Fee Description   |   |
|---------------------|----------|---------------------|----------|---|---|
| Fee Code            | Fee (\$) | Fee Code            | Fee (\$) |   |   |
| 1202                | 18       | 2202                | 9        | Claims in excess of 20                                    |   |
| 1201                | 84       | 2201                | 42       | Independent claims in excess of 3                         |   |
| 1203                | 280      | 2203                | 140      | Multiple dependent claim, if not paid                     |   |
| 1204                | 84       | 2204                | 42       | **Reissue independent claims over original patent         |   |
| 1205                | 18       | 2205                | 9        | **Reissue claims in excess of 20 and over original patent |   |
| SUBTOTAL (2)        |          |                     |          | (\$)  | 0 |

\*\*or number previously paid, if greater; For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code            | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|---------------------|----------|----------|----------|--|----------|
| 1051                | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052                | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                | 130      | 1053     | 130      | Non-English Specification  |          |
| 1812                | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804                | 920      | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                | 1,840    | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252                | 410      | 2252     | 205      | Extension for reply within second month                                    |          |
| 1253                | 930      | 2253     | 465      | Extension for reply within third month                                     |          |
| 1254                | 1,450    | 2254     | 725      | Extension for reply within fourth month                                    |          |
| 1255                | 1,970    | 2255     | 985      | Extension for reply within fifth month                                     |          |
| 1401                | 320      | 2401     | 160      | Notice of Appeal   |          |
| 1402                | 320      | 2402     | 160      | Filing a brief in support of an appeal                                     |          |
| 1403                | 280      | 2403     | 140      | Request for oral hearing   |          |
| 1451                | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453                | 1,300    | 2453     | 650      | Petition to revive - unintentional   |          |
| 1501                | 1,300    | 2501     | 650      | Utility Issue fee (or reissue)   |          |
| 1502                | 470      | 2502     | 235      | Design Issue fee   |          |
| 1503                | 630      | 2503     | 315      | Plant Issue fee  |          |
| 1460                | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807                | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806                | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  | 180      |
| 8021                | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                | 750      | 2809     | 375      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                | 750      | 2810     | 375      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                | 750      | 2801     | 375      | Request for Continued Examination (RCE)                                    |          |
| 1802                | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |          |          |  |          |
| Other fee (specify) |          |          |          |  |          |
| SUBTOTAL (3)        |          |          |          | (\$)   | 180      |

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY****Complete (if applicable)**

|                   |                |                                   |               |           |                |
|-------------------|----------------|-----------------------------------|---------------|-----------|----------------|
| Name (Print/Type) | John L. Capone | Registration No. (Attorney/Agent) | 41,656        | Telephone | (617) 951-2500 |
| Signature         | John L. Capone | Date                              | June 30, 2004 |           |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OF COMPLETED FORMS TO THIS

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.